UNITED STATES PATENT AND TRADEMARK OFFICE

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09/758,911	01/10/2001	Luke Surazski	CISCO-3701	9288

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2616	

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SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/11/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

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PTOL-90A (Rev. 10/06)

	Application No.	Applicant(s)
Office Action Summary	09/758,911	SURAZSKI ET AL.
	Examiner	Art Unit	
	Blanche Wong	2616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *12 December 2006*.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,6,7,9-17,19-29,31-39,41-45,50,51 and 53-66* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,6,7,9-17,19-29,31-39,41-45,50,51 and 53-66* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *10 January 2001* is/are: a)☐ accepted or b)☒ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

Response to Arguments

1.   Applicant's arguments filed December 12, 2006 have been fully considered but

they are not persuasive.

With regard to the amended claim 1, Examiner notes that the claim language

does not specify a protocol server that provides a number mapping service which

translates a phone number to an (IP address: Protocol) pair. Applicant argues that

reference Lund, col. 2, lines 20-22, is not the same as the protocol server as disclosed

in the Specification, p.8, line 15. Remark, p.17, para. 2. Applicant also argues that

Lund, col. 3, lines 23-24, is not the same function of the protocol server. Remark, p.17,

para. 3. However, Examiner disagrees. The claim limitation "routing an entered phone

number to a protocol server" does not recite a protocol server that provides a number

mapping service which translates a phone number to an (IP address: Protocol) pair.

Additionally, the claim limitation "providing a URL to a protocol server" does not recite a

function of the protocol server. As a matter of fact, the claim limitation "providing a URL

to a protocol server" seems to recite some routing to a protocol server. Therefore, it is

unnecessary for the Examiner and prior art to show a protocol server that provides a

number mapping service which translates a phone number to an (IP address: Protocol)

pair, or some function from within the protocol server.

Furthermore, Examiner disagrees with Applicant's contention. Applicant

contends that although Lund teaches some protocol, but Lund fails to describe the

protocol server of the invention. Remark, p. 18, para. 2. However, Examiner points out

that the protocol server of the invention is not recited in the claim language. The

Specification cannot be read into the claims. It is precisely the intended protocol and

server, and the functions of the protocol server, that need to be recited in the claim

language. Therefore, Lund teaches what is in the current claim language.

Drawings

2.   The drawings are objected to under 37 CFR 1.83(a). The drawings must show

every feature of the invention specified in the claims. Therefore, the limitations in its

entirety and order of amended claim 1 must be shown or the feature(s) canceled from

the claim(s). No new matter should be entered.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

4.   **Claims 1,6,7,9-17,19-29,31-39,41-45,50,51,53-66** are rejected under 35 U.S.C.

103(a) as being unpatentable over Lund (U.S. Pat No. 6,658,100) in view of Morton.

With regard to claims 1, 23 and 45, Lund discloses a method, device, and

program storage device readable by a machine, for providing an improved interface to a

caller during the initiation of a VoIP call comprising **(see also Fig. 3 and col. 4, ln. 8-col. 5, ln. 16)**:

placing, by the caller **(caller) (See also calling party, col. 3, ln. 20 and 22; and Fig. 4)**, a request **(number called)** for information **(URL of the called party)** regarding a party to be called **(called party) (when a caller places a call, the number called is used to look up and return to the caller the URL of the called party, col. 1, ln. 52-54)**;

returning a URL **(return to the caller the URL) (See also col. 3, ln. 23-24; and Fig. 4)** responsive to said request **(number called)**.

However, Lund fails to explicitly show displaying to said caller one or more connection options corresponding to said URL; selecting at least one of said one or more connection options; providing said URL to a protocol server; placing a call responsive to said at least one selected connection options by entering a phone number; routing the entered phone number to the protocol server; and routing a session request corresponding to said one or more connection options to the protocol server.

Morton discloses

displaying **(displaying) (the returned URL is used by client greeting application to invoke the calling party's Web browser ... displaying by web browser application such as an HTML page, col. 5, ln. 38-55)** to said caller one or more connection options **(possible actions) (examples of possible actions the**

calling party may take, col. 6, In. 2-col. 7, In. 20; See also Fig. 5) corresponding to

said URL;

selecting **(choose) ("the calling party at terminal ... choose actions ... ", col.**

5, In. 66-67; See also "the calling party at terminal chooses...", col. 6, In. 6,37,52

and col. 7, In. 10) at least one of said one or more connection options **(possible**

actions);

providing said URL **(querying a database based on the number dialed to**

retrieve URL, col. 3, In. 23-24) to a protocol server **(SSP) (SSP transmits a query to**

the SCP, col. 3, lines 34-35);

placing a call **(steps 501 and 502 in Fig. 5, col. 6, In. 6-51)** responsive to said at

least one selected connection options **(possible actions)** by entering a phone number

(number dialed, col. 3, In. 21 and 24; see also Fig. 4; keyboard, col. 2, In. 12);

routing the entered phone number **(based on the number dialed)** to the protocol

server **(SSP)**; and

routing a session request **(request) ("...In response to the received request ...**

For calls transported by Internet/intranet, ... using conventional IP telephony

protocols ...", col. 6, In. 22-36; "... for calls transported by telephone system, ...

using conventional CTI capabilities ...", col. 6, In. 42-47; See also col. 6, In. 6- col.

7, In. 20) corresponding to said one or more connection options **(possible actions)** to

the protocol server **(SSP)**.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to include displaying to a caller one or more connection options corresponding to URLs; selecting at least one of said one or more connection options; providing said URL to a protocol server; placing a call responsive to said at least one selected connection options by entering a phone number; routing the entered phone number to the protocol server; and routing a session request corresponding to said one or more connection options to the protocol server. The suggestion/motivation for doing so would have been to take advantage of the full capabilities provided by Internet technologies. Morton, col. 1, ln. 44-45. Therefore, it would have been obvious to combine Morton with Lund for the benefit of displaying to a caller one or more connection options corresponding to URLs; selecting at least one of said one or more connection options; providing said URL to a protocol server; placing a call responsive to said at least one selected connection options by entering a phone number; routing the entered phone number to the protocol server; and routing a session request corresponding to said one or more connection options to the protocol server; to obtain the invention as specified in claims 1, 23, and 45.

With regard to claims 6,28,50, Lund further discloses routing from said protocol server to a mapping service **(SCP 38,40, col. 2, ln. 20-22 and ln. 27; see also Fig. 2)**.

With regard to claims 7,29,51, Lund further discloses mapping **(col. 2, ln. 17-27 and col. 3, lines 20-40)**, by mapping service, said request to a URL.

With regard to claims 9,31,53, Lund further discloses providing said URL to an originating phone **(originating CPE, col. 3, ln. 27-28)**.

With regard to claims 10,32,54, Lund further discloses accessing the URL through a protocol server **(SSP)**.

With regard to claims 11,33,55, Lund further discloses access a web page **(web page, col. 3, ln. 27)** corresponding to said URL.

With regard to claims 12,34,56, the combination of Lund and Morton discloses a method, device, program storage device, of claims 1,23,45 respectively. However, the combination fails to explicitly show said one or more connection options are encoded using SIP.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to include one or more connection options are encoded using SIP. The suggestion/motivation for doing so would have been to use a de facto standard protocol in IP telephony to transmit data. Therefore, it would have been obvious to combine Lund and Morton and to include one or more connection options are encoded using SIP, to obtain the invention as specified in claims 12,34, and 56.

With regard to claims 13,35,57, the combination of Lund and Morton discloses a method, device, program storage device, of claims 1,23,45 respectively. However, Lund fails to explicitly show said one or more connection options corresponding to a user's identity.

Morton discloses said one or more connection options corresponding to a user's identity ("... **views any other data the called party wishes to present ...**", **col. 7, ln. 11-12; See also step 504 in Fig. 5**).

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to include one or more connection options corresponding to a user's identity. The suggestion/motivation for doing so would have been to take advantage of the full capabilities provided by Internet technologies. Morton, col. 1, ln. 44-45. Therefore, it would have been obvious to combine Morton with Lund for the benefit of one or more connection options corresponding to a user's identity, to obtain the invention as specified in claims 13,35, and 57.

With regard to claims 14,36,58, the combination of Lund and Morton discloses a method, device, program storage device, of claims 1,23,45 respectively. However, Lund fails to explicitly show said one or more connection options corresponding to a user's phone number.

Morton discloses said one or more connection options corresponding to a user's phone number (**telephone number, col. 6, ln. 19 and 55; see also Step 501, 502, 502 in Fig. 5**).

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to include one or more connection options corresponding to a user's phone number. The suggestion/motivation for doing so would have been to take advantage of the full capabilities provided by Internet technologies. Morton, col. 1, ln. 44-45. Therefore, it would have been obvious to combine Morton with Lund for the benefit of one or more connection options corresponding to a user's phone number, to obtain the invention as specified in claims 14,36 and 58.

With regard to claims 15,37,59, the combination of Lund and Morton discloses a method, device, program storage device, of claims 1,23,45 respectively. However, Lund fails to explicitly show said one or more connection options corresponding to a user's location.

Morton discloses said one or more connection options corresponding to a user's location **(an alternate destination, col. 6, ln. 7; See also Step 501 in Fig. 5)**.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to include one or more connection options corresponding to a user's location. The suggestion/motivation for doing so would have been to take advantage of the full capabilities provided by Internet technologies. Morton, col. 1, ln. 44-45. Therefore, it would have been obvious to combine Morton with Lund for the benefit of one or more connection options corresponding to a user's location, to obtain the invention as specified in claims 15,37, and 59.

With regard to claims 16,38,60, the combination of Lund and Morton discloses a method, device, program storage device, of claims 1,23,45 respectively. However, Lund fails to explicitly show said one or more connection options corresponding to a user's schedule.

Morton discloses said one or more connection options corresponding to a user's schedule **(the called party's calendar, col. 7, ln. 14; See also Step 504 in Fig. 5).**

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to include one or more connection options corresponding to a user's schedule. The suggestion/motivation for doing so would have been to take advantage of the full capabilities provided by Internet technologies. Morton, col. 1, ln. 44-45. Therefore, it would have been obvious to combine Morton with Lund for the benefit of one or more connection options corresponding to a user's schedule, to obtain the invention as specified in claims 16,38, and 60.

With regard to claims 17,39,61, the combination of Lund and Morton discloses a method, device, program storage device, of claims 1,23,45 respectively. However, the combination fails to explicitly show said one or more connection options are modified by group scheduling software to correspond to a user's schedule.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to include one or more connection options are modified by group scheduling software to correspond to a user's schedule. The suggestion/motivation for doing so would have been to synchronize multiple schedules. Therefore, it would have

been obvious to combine Lund and Morton and to include one or more connection

options are modified by group scheduling software to correspond to a user's schedule,

to obtain the invention as specified in claims 17,39, and 61.

With regard to claims 19,41,63, the combination of Lund and Morton discloses a

method, device, program storage device, apparatus of claims 1,23,45 respectively.

However, Lund fails to explicitly show the act of routing said session request by said

protocol server to a mapping service.

Morton discloses the act of routing a session request ("...**In response to the**

received request ... For calls transported by Internet/intranet, ... using

conventional IP telephony protocols ...", col. 6, ln. 22-36; "... for calls transported

by telephone system, ... using conventional CTI capabilities ...", col. 6, ln. 42-47;

See also col. 6, ln. 6- col. 7, ln. 20) by said protocol server **(application server)** to a

mapping service **(directory server application 304) (... the directory server**

application 304 of the application server 109 may each be implemented on

different host computers, col. 7, ln. 25-28).

At the time of the invention, it would have been obvious to a person of ordinary

skill in the art to include the act of routing said session request by said protocol server to

a mapping service. The suggestion/motivation for doing so would have been to take

advantage of the full capabilities provided by Internet technologies. Morton, col. 1, ln.

44-45. Therefore, it would have been obvious to combine Morton with Lund for the

benefit of the act of routing said session request by said protocol server to a mapping

service, to obtain the invention as specified in claims 19,41,63.

With regard to claims 20,42,64, the combination of Lund and Morton discloses a

method, device, program storage device, of claims 1,23,45 respectively. However,

Lund fails to explicitly show the act of executing said selected connection options.

Morton discloses the act of executing **(in response to... sends)** (**"...In

response to the calling party selection, greeting server application sends a

request ... ", col. 6, In. 16-36; See also col. 6, In. 6- col. 7, In. 20)** said selected

(selection) connection options.

At the time of the invention, it would have been obvious to a person of ordinary

skill in the art to include the act of executing said selected connection options. The

suggestion/motivation for doing so would have been to take advantage of the full

capabilities provided by Internet technologies. Morton, col. 1, In. 44-45. Therefore, it

would have been obvious to combine Morton with Lund for the benefit of the act of

executing said selected connection options, to obtain the invention as specified in

claims 20,42, and 64.

With regard to claims 21,43,65, the combination of Lund and Morton discloses a

method, device, program storage device, apparatus of claims 1,23,45 respectively.

However, Lund fails to explicitly show the act of returning an appropriate phone number

to said caller by a protocol server.

Morton discloses the act of returning an appropriate phone number (**<telephone number>, col. 7, ln. 40)** to said caller **(the calling party, col. 7, ln. 36)** by a protocol server **(application server 109, col. 7, ln. 27)**.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to include the act of returning an appropriate phone number to said caller by a protocol server. The suggestion/motivation for doing so would have been to take advantage of the full capabilities provided by Internet technologies. Morton, col. 1, ln. 44-45. Therefore, it would have been obvious to combine Morton with Lund for the benefit of the act of returning an appropriate phone number to said caller by a protocol server, to obtain the invention as specified in claims 21,43,65.

With regard to claims 22,44,66, the combination of Lund and Morton discloses a method, device, program storage device, apparatus of claims 1,23,45, respectively. However, Lund fails to explicitly show the act of initiating a call by said protocol server, said call corresponding to said selected connection option.

Morton discloses the act of initiating a call **(a call to be established)("... In response to the calling party selection, greeting server application sends a request for a call to be established between the calling party telephone and the telephone number for the selected alternate destination ...", col. 6, ln. 16-17; See also Step 501,502 in Fig. 5)** by said protocol server **(application server 109, col. 7, ln. 27) (greeting server application is within application server)**, said call corresponding to said selected.

At the time of the invention, it would have been obvious to a person of ordinary

skill in the art to include the act of initiating a call by said protocol server, said call

corresponding to said selected connection option. The suggestion/motivation for doing

so would have been to take advantage of the full capabilities provided by Internet

technologies. Morton, col. 1, ln. 44-45. Therefore, it would have been obvious to

combine Morton with Lund for the benefit of the act of initiating a call by said protocol

server, said call corresponding to said selected connection option, to obtain the

invention as specified in claims 22,44,66.

With regard to claims 24, the combination of Lund and Morton discloses a device

of claim 23. However, Lund fails to explicitly show the act of choosing, by said caller, at

least one of said one or more connection options.

Morton disclose the act of choosing (**"the calling party at terminal ... choose

actions ... ", col. 5, ln. 66-67; See also "the calling party at terminal chooses...",

col. 6, ln. 6,37,52 and col. 7, ln. 10)** by said caller **(the calling party)**, at least one of

said one or more connection options **(examples of possible actions the calling party

may take, col. 6, ln. 2-col. 7, ln. 20; See also Fig. 5)**.

At the time of the invention, it would have been obvious to a person of ordinary

skill in the art to include the act of choosing, by said caller, at least one of said one or

more connection options. The suggestion/motivation for doing so would have been to

take advantage of the full capabilities provided by Internet technologies. Morton, col. 1,

ln. 44-45. Therefore, it would have been obvious to combine Morton with Lund for the

benefit of the act of choosing, by said caller, at least one of said one or more connection

options, to obtain the invention as specified in claim 24.

With regard to claim 25, the combination of Lund and Morton discloses a device

of claim 24. However Lund fails to explicitly show placing a call responsive to said one

or more connection options chosen by said caller.

Morton discloses placing a call **(steps 501 and 502 in Fig. 5, col. 6, In. 6-51)**

responsive to said one or more connection options **(examples of possible actions the.**

calling party may take, col. 6, In. 2-col. 7, In. 20; See also Fig. 5) chosen by said

caller **(the calling party)**.

At the time of the invention, it would have been obvious to a person of ordinary

skill in the art to include placing a call responsive to said one or more connection

options chosen by said caller. The suggestion/motivation for doing so would have been

to take advantage of the full capabilities provided by Internet technologies. Morton, col.

1, In. 44-45. Therefore, it would have been obvious to combine Morton with Lund for

the benefit of placing a call responsive to said one or more connection options chosen

by said caller, to obtain the invention as specified in claim 25.

With regard to claim 26, Lund further discloses entering a phone number

(number dialed, col. 3, In. 21 and 24; see also Fig. 4; keyboard, col. 2, In. 12) into

an originating phone **(smart or intelligent phone, col. 2, In. 6-16; see also Fig. 1)**.

With regard to claim 27, Lund further discloses routing to a protocol server **(SSP, 22,24,26,28, col. 2, ln. 20-22 and ln. 25; see also Fig. 2)**.

With regard to claim 62, the combination of Lund and Morton discloses a program storage device of claim 45. However, Lund fails to explicitly show the act of routing a session request corresponding to said connection option to a protocol server.

Morton discloses the act of routing a session request **("...In response to the received request ... For calls transported by Internet/intranet, ... using conventional IP telephony protocols ...", col. 6, ln. 22-36; "... for calls transported by telephone system, ... using conventional CTI capabilities ...", col. 6, ln. 42-47; See also col. 6, ln. 6- col. 7, ln. 20)** corresponding to said connection option **(examples of possible actions the calling party may take, col. 6, ln. 2-col. 7, ln. 20; See also Fig. 5)** to a protocol server **(application server 109, col. 7, ln. 27)**.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to include the act of routing a session request corresponding to said connection option to a protocol server. The suggestion/motivation for doing so would have been to take advantage of the full capabilities provided by Internet technologies. Morton, col. 1, ln. 44-45. Therefore, it would have been obvious to combine Morton with Lund for the benefit of the act of routing a session request corresponding to said connection option to a protocol server, to obtain the invention as specified in claim 62.

Conclusion

5.   Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

6   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Blanche Wong whose telephone number is 571-272-3177. The examiner can normally be reached on Monday through Friday, 830am to 530pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy Vu can be reached on 571-272-3155. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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